

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

HILLSIDE PRODUCTIONS, INC., GARY
RONCELLI and JOSEPH VICARI,

Plaintiffs/Counter-Defendants,

v.

Case No. 06-CV-11566

COUNTY OF MACOMB, et al.,

Defendants/Counter-Plaintiffs.

ORDER TO SHOW CAUSE

Pending before the court is Defendants' October 22, 2007 "Motion for Show Cause Directed to CBJ Enterprises, Inc" ("CBJ"). The court previously authorized Defendants to use alternate service for serving a subpoena on CBJ. (10/12/07 Order.) Defendants represent that they attempted service¹ and that CBJ has failed to produce the documents requested under the subpoena. (Defs.' Mot. at ¶¶ 3-8.) To further explore these allegations, the court will grant Defendants' motion and schedule a hearing. Accordingly,

IT IS ORDERED that Defendants' "Motion for Show Cause Directed to CBJ Enterprises, Inc." is GRANTED.

IT IS FURTHER ORDERED that CBJ and Defendants appear at a show cause hearing on **Thursday, November 8 at 4:00 p.m.** The court expects Defendants to

¹In light of the certified mailing that the postal service returned as "Not Deliverable, Unable to Forward," (Defs.' Mot. at ¶ 5), the court doubts whether CBJ was effectively served. (See *contra id.* at ¶ 3 (stating "Defendants served CBJ").)

further substantiate their allegations that CBJ was effectively served² and that CBJ failed to comply with the subpoena. Assuming that Defendants can make that showing, the court will expect CBJ to show cause why it should not be held in civil contempt for failing to comply with the subpoena. Plaintiffs at their option may attend the hearing.

IT IS FURTHER ORDERED that Defendants shall effectively serve CBJ with notice of the hearing. If ordinary service proves unavailing after diligent attempts, the court authorizes alternate service as detailed in its October 12, 2007 order.

S/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: October 25, 2007

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, October 25, 2007, by electronic and/or ordinary mail.

S/Lisa Wagner
Case Manager and Deputy Clerk
(313) 234-5522

²Among other things, the court expects that Defendants will be able to provide proof of CBJ's current corporate status, the identity of its current registered agent and his/her residential and business address and what investigative efforts Defendants have made to locate the registered agent at addresses other than the one thus far unsuccessfully used.